

1 R. ALi

2 A. No.

3 Q. The vehicle in front of you that was
4 stopped, did you notice whether or not it had
5 skidded to a stop or did it go to a smooth
6 stop?

7 A. A smooth stop.

8 Q. Before the single impact to the rear
9 of your Civic, did you hear any sounds behind
10 you from the car that was involved in this
11 accident, such as screeching of tires,
12 screeching of brakes or anything like that?

13 A. Yes.

14 Q. What did you hear?

15 A. The vehicle from -- the tire from the
16 car that hit me.

17 Q. Could you approximate how long of a
18 screech you heard in terms of seconds?

19 A. About three, four seconds.

20 Q. Did that screeching end with the
21 actual collision to the rear of your car?

22 A. Yes.

23 Q. Did you hear any honking of horns?

24 A. No.

25 Q. Did you honk your horn?

1 R. ALi

2 A. Yes -- no, no.

3 Q. The road surface where the accident
4 occurred, was that asphalt or black top --
5 we'll call it that -- concrete or something
6 else?

7 A. Black top.

8 Q. The exit ramp, itself, could you
9 approximate how long it was in car lengths or
10 feet or something else?

11 A. I don't -- I can't, no.

12 Q. Do you remember whether the exit ramp
13 was more than five car lengths or less than
14 five car lengths?

15 A. More than five.

16 Q. Was the exit ramp more than ten car
17 lengths?

18 A. No.

19 Q. Was the exit ramp, itself, leveled or
20 was it on an incline or decline?

21 A. Leveled.

22 Q. Sir, have you ever seen any
23 photographs taken of the exit location?

24 A. No.

25 Q. Did you ever take any photographs of

1 R. ALi

2 the accident location?

3 A. No.

4 Q. Sir, at any time before the impact,
5 did you turn your head around to look at what
6 was happening behind you?

7 A. No.

8 Q. Sir, did your Civic have an inside
9 rear-view mirror?

10 A. Yes.

11 Q. Did it also have side-view mirrors on
12 both the driver's side and the passenger's
13 side?

14 A. Yes.

15 Q. Had you adjusted those mirrors in such
16 a way that you were able to use them properly
17 before the accident?

18 A. Yes.

19 Q. At any time before this accident, did
20 you see the Jeep Cherokee by looking into any
21 of your mirrors?

22 A. No.

23 Q. Was your driver's seat a bucket style
24 seat as opposed to a bench seat?

25 A. A regular seat. I don't know.

1 R. ALi

2 MR. MAYER: Was your seat
3 attached to the passenger's seat, like
4 one console, or were they separate
5 seats?

6 THE WITNESS: Separate seats.

7 Q. Sir, did your driver's seat have a
8 safety belt?

9 A. Yes.

10 Q. Was this the type of safety belt that
11 had a lap belt as well as a shoulder strap?

12 A. Yes.

13 Q. Were you wearing that at the time of
14 the accident?

15 A. Yes.

16 Q. To your knowledge, was it properly
17 hooked up at the time of your accident?

18 A. Yes.

19 Q. Sir, where were you looking
20 immediately before you heard the screeching
21 of tires behind you?

22 A. Straight in front.

23 Q. You were looking straight ahead of
24 you?

25 A. Yes.

1 R. ALi

2 Q. You were looking out the front
3 windshield?

4 A. Yes.

5 Q. What do you recall observing at that
6 time?

7 A. Pardon me?

8 Q. In other words, what did you see in
9 front of you right before you heard the
10 screeching behind you? You're looking
11 forward out your front windshield, what did
12 you observe in front of you at the time?

13 A. The car that had stopped in front of
14 me.

15 Q. The car that was directly in front of
16 you?

17 A. Yes.

18 Q. When you first heard the screeching,
19 had you already brought your vehicle to a
20 complete stop?

21 A. Yes.

22 Q. At that point, was the car that was
23 directly in front of you also at a complete
24 stop?

25 A. Yes.

1 R. ALi

2 Q. What distance separated the front of
3 your car from the rear of the car directly in
4 front of you?

5 A. About eight to ten feet.

6 Q. Was your wife seated next to you at
7 the time of the accident?

8 A. Yes.

9 Q. Did her front seat have a safety belt
10 on?

11 A. Yes.

12 Q. Did you observe her wearing her safety
13 belt at the time of the accident?

14 A. Yes.

15 Q. Were you conversing with your wife in
16 the one minute before the accident?

17 A. No.

18 Q. Did you say anything to your wife in
19 the one minute before the accident?

20 A. No.

21 Q. Do you recall your wife saying
22 anything to you in that one minute before the
23 accident?

24 A. No.

25 Q. Were your children in the back seat

1 R. ALi

2 distracting you in anyway?

3 A. No.

4 Q. When was the first time that you saw
5 the driver of the vehicle that was involved
6 in the accident with you?

7 A. When the first time I saw him?

8 Q. Yes. When was the first time you
9 actually saw the driver, himself?

10 A. He came out to my driver's side.

11 Q. That is after the accident?

12 A. Yes.

13 Q. At any time before that, did you
14 actually see him in the driver's seat of the
15 car?

16 A. No.

17 Q. Please, describe the driver of that
18 Jeep Cherokee?

19 A. He was white.

20 Q. White male?

21 A. Yes.

22 Q. Approximate age?

23 A. Middle aged.

24 Q. What does that mean to you?

25 A. There's different scales.

1 R. ALi

2 Q. Approximately?

3 A. Fifty's.

4 Q. As a result of that single impact to
5 the rear of your Civic, did your Civic move?

6 A. Could you repeat that, please?

7 MR. MORRIS: Read it back.

8 (Whereupon the record was read
9 back by the reporter.)

10 A. I don't understand the question.

11 Q. As a result of this car --

12 A. Hitting me.

13 Q. -- hitting the back of your car, did
14 that cause your car to move?

15 A. Yes.

16 Q. Did it cause your car to move forward?

17 A. Yes.

18 Q. Approximately, how far?

19 A. I don't know.

20 Q. Did it impact the rear of your car?

21 A. My car was pretty much there when I
22 had --

23 Q. I have no problem with that. You said
24 your car was dead stopped. As it was dead
25 stopped, as were you waiting for the car in

1 R. ALi

2 front of you, was your right foot on the
3 brake?

4 A. Yes.

5 Q. What I'm asking now is, as a result of
6 that impact to the rear of your Civic, did
7 your vehicle get pushed forward?

8 A. I don't remember. I don't remember.

9 Q. As a result of this impact to the rear
10 of your vehicle, did your vehicle get pushed
11 into the vehicle directly in front of it?

12 Meaning, did you make contact now with the
13 vehicle in front of you as a result of being
14 hit?

15 A. No.

16 Q. Did the car that was directly in front
17 of you remain at the scene after the
18 accident?

19 A. No, he left.

20 Q. Did you ever come to learn his name?

21 A. No.

22 Q. Do you remember what type of vehicle
23 it was, the one directly in front of you?

24 A. No.

25 Q. Did you ever get to learn the license

1 R. ALi

2 plate of that car?

3 A. No.

4 Q. Are you aware of any witnesses to your
5 accident, besides the occupants of your
6 vehicle and the occupants of the Jeep?

7 A. No.

8 Q. As a result of this impact to the rear
9 of your Civic, did your body make contact
10 with any portion of the interior of your car?

11 A. You mean interior, front?

12 MR. MORRIS: Read it back?

13 (Whereupon the record was read
14 back by the reporter.)

15 A. Yes, my back and my neck hit on the
16 seat.

17 Q. Now, when you say your neck and back,
18 was it the back of your seat, the back
19 portion of the seat?

20 A. My -- like, I'm sitting here, my seat.

21 Q. When you say seat, are you talking
22 about the back of the seat?

23 A. This here, my seat.

24 Q. Did your Civic driver's seat have a
25 headrest?

1 R. ALi

2 A. Yes.

3 Q. Was this an adjustable headrest?

4 A. Yes.

5 Q. Do you remember the position that you
6 had the headrest in? Meaning, was it
7 completely at its lowest position, at its
8 highest position or somewhere in between?

9 A. I don't remember.

10 Q. Just for clarification, you're saying
11 your neck and back made contact with the back
12 part of your seat as a result of the
13 accident?

14 A. Yes.

15 Q. Are you aware of any part of your body
16 making contact with any other part of the
17 interior of the car, such as the steering
18 wheel, windshield, side window or anything
19 like that?

20 A. No. I just stopped, you know, I
21 stayed like this and the impact just pushed
22 me back.

23 Q. I understand what you're saying. My
24 question was, are you aware of any parts of
25 your body making contact with any other part

1 R. ALi

2 of the interior of the vehicle, besides your
3 neck and back making contact with the back of
4 the seat?

5 A. No.

6 Q. Did you lose consciousness?

7 A. No.

8 Q. Were you bleeding from any parts of
9 your body?

10 A. No.

11 Q. Do you recall any bumps or bruises on
12 any parts of your body?

13 A. At the moment, no.

14 Q. How long after the accident did the
15 driver of the other vehicle involved in the
16 accident approach you?

17 A. Like two, three minutes after.

18 Q. Did you have a cell phone with you at
19 the time of the accident?

20 A. No.

21 Q. When the driver of the other vehicle
22 came over to you, were you still in the
23 driver's seat of your vehicle?

24 A. Yes.

25 Q. Did he come over to the window of your

1 R. ALi

2 car?

3 A. Right.

4 Q. The driver's window?

5 A. Yes.

6 Q. As you were driving, at the time of
7 the accident, did you have your windows up or
8 down?

9 A. Up.

10 Q. The windows were completely up?

11 A. Yes.

12 Q. When he came over to your vehicle, did
13 you lower the window, open the door or
14 something else?

15 A. I lowered the window.

16 Q. Did a conversation take place?

17 A. He asked me was I okay.

18 Q. Were the first words spoke said by him
19 or by you?

20 A. Him.

21 Q. His first words to you were?

22 A. Are you okay.

23 Q. Did you respond?

24 A. Yes.

25 Q. Verbally?

1 R. ALi

2 A. Yes.

3 Q. What did you say?

4 A. I'm not too sure at this point.

5 Q. Did he say anything else?

6 A. No.

7 Q. Was there any discussions about the
8 other members of your car?

9 A. What do you mean?

10 Q. In other words, he asked if you were
11 okay. Did he ask if your wife was okay, were
12 your children okay? Was there any discussion
13 about the other members of your family, by
14 the driver of the other car?

15 A. No.

16 Q. Do you recall anything else that was
17 said, besides the other driver asking are you
18 okay and you not saying I'm not too sure at
19 this point? Do you remember any other words
20 that was said between the two of you?

21 A. No.

22 Q. Did your wife say anything at the time
23 of that conversation?

24 A. No. She was shaking, crying.

25 Q. Now, before he came over to your

1 R. ALi

2 vehicle what did you do, if anything, in that
3 two or three minutes after the accident?

4 A. No. I was just seeing if my wife and
5 the kids were okay because it was a sudden
6 thing. She was shaking, she was nervous, you
7 know.

8 Q. What words, if any, did you say to
9 your wife and children in that time?

10 A. Just asked if she was okay. She was
11 crying.

12 Q. Did your wife respond verbally with
13 any words or was just shaking and crying?

14 A. She was just shaking and crying.

15 Q. What about with your children, did you
16 look to see how they were doing?

17 A. Yes, and they were shaking and they
18 were still silenced.

19 Q. Were the children crying?

20 MR. MAYER: Just note my
21 objection.

22 Q. Were any of your children crying?

23 A. Yes.

24 Q. Did they come out of their car seats
25 or did they remain in their car seats?

1 R. ALi

2 A. Remained in their car seats.

3 Q. How long did the driver of the other
4 vehicle remain at the window of your driver's
5 door?

6 A. I don't remember.

7 Q. Well, after that brief conversation
8 you had with him, what happened next?

9 A. He left, he went back.

10 Q. Did he go back to his car?

11 A. Yes.

12 Q. Went back to his Jeep. What did you
13 do?

14 A. Came out like ten minutes after.

15 Q. You came out the driver's door?

16 A. Yes.

17 Q. Had the damage to the car made it
18 difficult to open the driver's door or not?

19 A. No.

20 Q. Were you able to open the driver's
21 door okay?

22 A. Yes.

23 Q. Did you actually pull the car over, in
24 any way, to get it out of the way of traffic
25 after the accident?

1 R. ALi

2 A. After? Yes, after I came out. There
3 was a long line of people who were honking
4 and they said could you, please, move your
5 car to the side.

6 Q. When the conversation took place, were
7 the two of your vehicles blocking traffic?

8 A. Yes.

9 Q. How far did you have to move your car
10 to get it out of the way of traffic?

11 A. About ten feet.

12 Q. Was it to the right, left or something
13 else?

14 A. Ten feet to the left.

15 Q. The area where you moved your car to,
16 was that black top or was it a grassy area or
17 something else?

18 A. I don't remember.

19 Q. At that point, after you moved your
20 car about ten feet to the left, were the cars
21 able to exit and go around you that were
22 coming off the FDR Drive?

23 A. Yes.

24 Q. Did the gentleman with the Jeep also
25 move his car out of the way?

1 R. ALi

2 A. Yes.

3 Q. Did he move his car out of the way in
4 such a way that he was still in front of your
5 car?

6 A. He was behind my car.

7 MR. MORRIS: I'm sorry, strike
8 that.

9 Q. Did the driver of the other car move
10 his vehicle, that Jeep, in such a way that he
11 was still behind your car?

12 A. Yes.

13 Q. He was also pulled over where you
14 were?

15 A. Yes, yes.

16 Q. Did you take note of what else he was
17 doing while you were still waiting at the
18 scene?

19 A. No.

20 Q. Do you know whether the driver of the
21 Jeep was on a cell phone at the time of the
22 accident?

23 A. No.

24 Q. You don't know?

25 A. No.

1 R. ALi

2 Q. Did you see him making any cell phone
3 calls from the scene?

4 A. I don't remember.

5 Q. To the best of your knowledge, was the
6 driver of the Jeep alone at the time of the
7 accident?

8 A. Yes.

9 Q. Did anyone in your vehicle have a cell
10 phone at the time of the accident?

11 A. No.

12 Q. Just wait before you answer.

13 A. Sorry.

14 Q. At some point, did the police come to
15 the scene?

16 A. Yes.

17 Q. Do you know if they came by chance or
18 somebody called them or something else?

19 A. I asked the driver to call them.

20 Q. You asked the driver of the Jeep to
21 make a call?

22 A. Yes.

23 Q. Did he then, at that time, use a cell
24 phone, if you know?

25 A. Yes.

1 R. ALi

2 Q. Did you actually see him making the
3 call?

4 A. I asked him. Yes, I saw him making --
5 I didn't see what number he dialed.

6 Q. You saw him actually using the phone?

7 A. Yes.

8 Q. Was he making that phone call from the
9 inside of the Jeep?

10 A. Outside.

11 Q. How long after the accident, did the
12 police arrive on the scene?

13 A. Forty-five minutes later.

14 Q. Did an ambulance also arrive on the
15 scene?

16 A. Yes.

17 Q. Which arrived first?

18 A. I don't remember.

19 Q. When the police arrived did they ask
20 you questions?

21 A. Yes.

22 Q. Did they ask you how the accident
23 happened?

24 A. Yes.

25 Q. What did you tell them?

1 R. ALi

2 A. I told them I exited out. I stopped
3 in the sign and the car hit from the behind.

4 Q. Did you hear the driver of the Jeep
5 talking to the police?

6 A. No, I didn't hear anything.

7 Q. Did the police ask you whether you
8 wanted an ambulance?

9 A. I don't remember.

10 Q. Did the police ask you about how you
11 were feeling or how the members of your
12 family were feeling?

13 A. I don't remember.

14 Q. Do you remember any other
15 conversations with the police, besides
16 describing how the accident happened?

17 A. I don't remember.

18 Q. Did the police, themselves, actually
19 physically examine you or any of your family
20 members?

21 A. I don't remember.

22 Q. An ambulance arrived on the scene; is
23 that correct?

24 A. Yes.

25 Q. Did ambulance personnel talk to you?

1 R. ALi

2 A. Yes.

3 Q. Please, describe that conversation?

4 A. Ask us if we were okay. I'm not too
5 sure -- we had pain in the neck and the back.

6 Q. Now, you are talking about who when
7 you say we have the pain in the neck and
8 back. Are you talking about you and your
9 wife, you, your wife and your children?

10 A. Me. They were asking me. They asked
11 us separately.

12 Q. They asked each one of you separately?

13 A. Yes.

14 Q. So, you, yourself, in describing how
15 you felt, you told him you had some pain in
16 your neck and back?

17 A. Yes.

18 Q. Did you mention any other parts of
19 your body that had pain?

20 A. Not at the moment.

21 Q. At any time while you were speaking to
22 the police, did you mention any other parts
23 of your body that was having pain, besides
24 your neck and your back?

25 A. Pardon me?

1 R. ALi

2 MR. MORRIS: Please, read that
3 question back.

4 (Whereupon the record was read
5 back by the reporter.)

6 A. I don't remember.

7 Q. Did the police ask your wife questions
8 about how she was feeling?

9 A. I don't remember.

10 Q. Did the police ask questions about
11 your children's well being?

12 A. I don't remember.

13 Q. When the police arrived on the scene
14 where were you?

15 A. I don't remember.

16 Q. Were you still in your car, outside
17 your car?

18 A. I was outside.

19 Q. While you were outside the car, did
20 your wife and children remain in the car?

21 A. Yes.

22 Q. When the ambulance arrived on the
23 scene, did they attend to you, yourself?

24 A. I don't understand that question.

25 Q. When the ambulance personnel arrived

1 R. ALi

2 on the scene, did they approach you?

3 A. Yes, they approached.

4 Q. When they approached you, were you in
5 the car at that time, were you standing up
6 outside?

7 A. I don't remember.

8 Q. Did the ambulance personnel ask you
9 how you were feeling?

10 A. Yes.

11 Q. What did you tell them?

12 A. I have pain in my neck, my back. I
13 was shaking, nervous.

14 Q. Did one ambulance or more than one
15 ambulance arrive on the scene?

16 A. One.

17 Q. Did you observe ambulance personnel
18 talking to your wife?

19 A. I don't understand.

20 MR. MORRIS: Could you read that
21 back?

22 (Whereupon the record was read
23 back by the reporter.)

24 A. If they go over to her, ask her
25 questions?

1 R. ALi

2 Q. You explained how the ambulance
3 personnel asked you questions. You told them
4 about the pain in your neck and back. Did
5 you visually see the ambulance personnel
6 tending to your wife and children?

7 A. Yes.

8 Q. Did you hear what your wife had to say
9 about how she was feeling, if she said
10 anything about how she was feeling?

11 A. No.

12 Q. Did the ambulance personnel actually
13 go over and look at your children?

14 A. Yes.

15 Q. Did they say anything to you about
16 your children?

17 A. I don't remember.

18 Q. Did any member of your family get in
19 the ambulance at the scene?

20 A. They took us inside for checkup.

21 Q. Inside the ambulance?

22 A. Yes.

23 Q. Please, describe what this ambulance
24 looked like? Did it appear to be New York
25 City EMS or the Fire Department EMS?